Enforcement Confidential: DO NOT RELEASE

Clean Air Act - Section 112(r)
Risk Management Program
Inspection Report

FACILITY INFORMATION:

Name: Legacy Fruit Packers, LLC (Valley Fruit III, LLC before merger w/ Larson Fruit)
Physical Address: 12 Hoffer Road, Wapato, WA 98951
Phone Number: (509) 877-4188
EPA Facility ID# 1000 0017 1075

CONTACT INFORMATION:

Name: Randy Mork – Refrigeration Manager
Mailing Address: 12 Hoffer Road, Wapato, WA 98951
Phone Number: (509) 877-5268
Email Address: Rmork@sagefruit.com

EMERGENCY CONTACT INFORMATION:

Name: Randy Mork – Refrigeration Manager
Phone Number: (509) 877-5268
Email Address: Rmork@sagefruit.com

CONDITIONS:

Weather: Sunny and 10 mph winds
Inspection Date: 07/15/15
Inspection Time: 08:20 to 15:20 PM
Inspectors: Bob Hales, U.S. EPA SEE Grantee, Lead RMP Inspector
Javier Morales, U.S. EPA, RMP Coordinator/Inspector
Peter Phillips, U.S. EPA SEE Grantee, RMP Inspector

DATE AND PROGRAM LEVELS OF SUBMITTED RMP:

Date of Initial Submission: 07/17/2000
Date of Latest Update: 01/03/2013

Process Program as reported in RMP:

Process ID	Description	Process Chemical ID	NAICS Code	Program Level	Chemical Name	CAS Number	Quantity (lbs.)
1000036531	ER 2	1000039474	49312	3	Ammonia (anhydrous)	7664-41-7	38,181
1000036530	ER 1	1000039475	49312	3	Ammonia (anhydrous)	7664-41-7	13,984

PURPOSE:

The purpose of this inspection was to determine whether the Legacy Fruit Packers, LLC facility in Wapato, Washington is in compliance with the requirements outlined in Section 112(r) of the Clean Air Act and Title 40 Code of Federal Regulations (CFR) Part 68, Chemical Accident Prevention Provisions and EPCRA Section 312, Hazardous Chemical Storage Reporting Requirements for reporting chemical inventory. On June 21, 2006, EPA conducted an RMP inspection at the facility that was previously

owned and operated by Valley Fruit III LLC. On January 3, 2007, Valley Fruit III LLC was issued an Expedited Settlement Agreement (ESA), Docket No. CAA-10-2007-0013, for a $2,208 penalty on alleged violations of the following RMP requirements: management, hazard assessment, process safety information, process hazard analysis, training, mechanical integrity, compliance audits, and emergency response.

RELEASE/ACCIDENT HISTORY:
There have been no reportable releases at the facility in the previous five years.

INSPECTION ENTRY:
Bob Hales led the inspection entry. The inspection team was greeted by Randy Mork, and led to the conference room after signing in. Mr. Hales and the other inspectors then presented their credentials. The Legacy Fruit Packers, LLC facility (herein facility) employees participating in the inspection included Randy Mork, Refrigeration Manager, Brian Bruner, Legacy Fruit HS Manager, Trent Fuller, Legacy Fruit . Other participants included David Champoux, Doubl-Kold Engineering and Terry Ganuelas, Air Quality Technician for the Yakima Nation. Mr. Ganuelas was present during the tour of the facility but did not participate in the document review or out briefing.

Mr. Hales (herein EPA) requested an explanation of the facility's operations and any additional safety measures that should be taken during the site tour. The facility representatives gave an overview of the facility and described the operations, the Risk Management Plan, and safety requirements. High-visibility jackets (provided), closed toe shoes, and hearing protection were required by the facility and worn by EPA personnel.

Prior to the inspection, EPA sent a certified notice of inspection letter to the facility informing them of the CAA Section 112(r)(6)(L) requirement that facility employees and employee representatives (such as a union representative) have the right to participate in the RMP inspection, and that a copy of the letter must be provided to the employee representative(s) and the letter posted in a manner accessible to employees in the facility. There were no employees or employee representatives participating in the inspection.

GENERAL INFORMATION:
The Legacy Fruit Packers facility was built around 1980, with substantial additions to the process (half of Complex B was built) in 2002. The plant processes, stores, and ships apples, pears and cherries year-round from the local farming community. They have approximately 220 full time employees. There are 60 CA (controlled Atmosphere) rooms and 18 cold storage rooms comprising the two regulated processes. The operation of cold storage rooms at the facility requires approximately 40,000 pounds of anhydrous ammonia for the three separate ammonia refrigeration processes. Each process has a dedicated engine room. A brief summary of the process equipment is as follows:

- Engine Room #1 refrigeration system uses 20,000 pounds of anhydrous ammonia and utilizes one screw and three reciprocating compressors with one high pressure receiver (HPR) and two roof top condensers.

- Engine Room #2 refrigeration system uses 11,000 pounds of anhydrous ammonia and utilizes three screw and one reciprocating compressors with two high pressure receivers (HPR) and three roof top condensers.

- Engine Room #3 refrigeration system uses 9,500 pounds of anhydrous ammonia and utilizes two

screw type compressors with one high pressure receiver (HPR) and one roof top condenser.

Engine Rooms #1 and #2 exceed the threshold quantity of 10,000 pounds for anhydrous ammonia and both are regulated under 40 CFR Part 68. The facility reports that Engine Room #1 was constructed in 1988, Engine Room #2 was constructed in 1995 and Engine Room #3 in 2014. Engine room # 3 refrigeration system is not presently regulated under 40 CFR Part 68, but the facility stated that it could exceed the threshold quantity of 10,000 pounds for anhydrous ammonia in the future. It should be noted that the facility also operates another engine room, "Freon Room #1" that is charged with R-22 refrigerant that is not a regulated toxic under 40 CFR 68.130.

The refrigeration system is essentially fully automated and is run by one operator and one helper. The refrigeration system is manned only during business hours (daytime operation). After hours security is not available.

The facility has a fixed ammonia detection system located in each building to detect an ammonia release. The ammonia detection system is set to alarm at 30 ppm in the engine rooms and 3 ppm in the CA rooms. When an ammonia release reaches 100 ppm the detection system activates the emergency ventilation in the engine rooms. The ammonia detection system uses an automatic dialer that calls the appropriate operator if alarm conditions exist. Ammonia detectors have been installed in each building including all cold rooms, cold storage and cold processing areas.

In the event of an uncontrolled ammonia release, the facility will not conduct its own emergency response. The facility explained that the Wapato Fire Department will be contacted if an emergency occurs at the facility. The facility indicated that emergency meeting points have been identified and are noted of their facility map (See Attachment B). Employees are trained to evacuate and meet at the designated areas if there is an evacuation. Visitors are provided with a map and a briefing in emergency procedures.

OBSERVATIONS:

The inspection team conducted a walking tour of the facility, focusing on areas associated with the refrigeration process. The tour included the three machine rooms, selected cold storage and controlled atmosphere rooms, the roof top condensers and the mezzanines for Buildings A and C. The inspection team also observed the control room consoles for each of the refrigeration processes. All of the refrigeration process areas appeared to be well maintained and had the appropriate piping and equipment labeling. The three engine rooms were equipped with emergency shutdown and ventilation controls located outside of the entrances (See Photo # 40). There were no NFPA 704 hazard identifier signage for Engine Rooms #1 and #2 (See Photos # 49 and 50). However, Mr. Mork stated that they had the NFPA 704 signs and were installed on both engine room doors before the inspection had been completed.

After the facility tour, the inspection team returned to the conference room to review the facility's RMP documentation. Facility personnel answered questions and collected documentation as requested by inspectors. Upon the inspection team's completion of the documentation review, EPA provided an inspection debriefing to the facility representatives.

Photo documentation obtained during the site visit is included in Attachment A. A site map is provided as Attachment B to this report, and photocopies of paperwork given to inspectors are included in Attachment C.

FOLLOW UP INFORMATION:
The following documents were data file transferred to the EPA on July 25, 2015 ten days after the inspection:

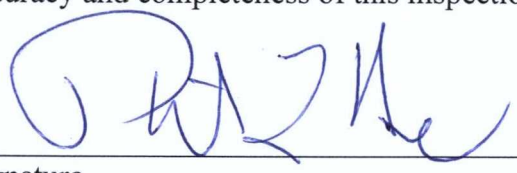
1. Machine room # 1 ventilation calculations
2. PSM mechanical integrity program
3. Maintenance schedule
4. Machine room 1 relief valve basis and tables
5. Machine room 2 relief valve basis and tables

CONCLUSIONS:
The following findings were identified during the RMP inspection.

1. Legacy Fruit Packers LLC has not consulted with employees and their representatives on the conduct and development of process hazards analyses and on the development of the other elements of process safety management in chemical accident prevention provisions as required by 40 C.F.R. 68.83(b).

2. Legacy Fruit Packers LLC has not provided to employees and their representatives access to process hazards analyses and to all other information required to be developed under the chemical accident prevention rule as required by 40 C.F.R. 68.83(c).

INSPECTION REPORT CERTIFICATION:
This is to certify that I, Bob Hales, was the lead inspector at this facility and that I have verified the accuracy and completeness of this inspection report:



Signature 2/10/16
Date

Supervisor Review/Approval 2/10/16
Date

Attachment A